

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Aug 09, 2021**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Augustus Johnley

Case Number: 0980 2:18CR00003-TOR-1

Address of Offender: [REDACTED] Yakima, Washington 98901

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: December 19, 2018

Original Offense: Failure to Register as a Sex Offender, 18 U.S.C. § 2250(a)

Original Sentence: Prison - 18 months  
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Michael James Austen Ellis

Date Supervision Commenced: May 22, 2019

Defense Attorney: Craig Webster

Date Supervision Expires: May 21, 2024

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**PETITIONING THE COURT**

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 11/24/2020 and 05/28/2021.

The probation officer believes that the offender has violated the following conditions of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--------------------------------|
|-------------------------|--------------------------------|

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**Special Condition #7:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Johnley is considered to be in violation of his supervised release conditions by consuming a controlled substance, methamphetamine, on or about June 30, 2021.

On May 22, 2019, a U.S. probation officer met with Mr. Johnley upon his release from custody. Mr. Johnley reviewed and signed the judgment and sentence, which outlined the conditions of his term of supervised release.

On June 30, 2021, Mr. Johnley reported to the probation office and submitted to urinalysis (UA) testing. The specimen was sent to Alere Toxicology Services (Alere) laboratory for testing.

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On July 9, 2021, Alere reported the results of the specimen to be positive for methamphetamine.

On July 23, 2021, this officer met with Mr. Johnley at the probation office and discussed his drug use. Mr. Johnley denied consuming drugs.

6 **Special Condition #7:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Johnley is considered to be in violation of his supervised release conditions by consuming a controlled substance, methamphetamine, on or about July 23, 2021.

On May 22, 2019, a U.S. probation officer met with Mr. Johnley upon his release from custody. Mr. Johnley reviewed and signed the judgment and sentence, which outlined the conditions of his term of supervised release.

On July 23, 2021, Mr. Johnley reported to the probation office and submitted to UA testing. The specimen was presumptive positive for methamphetamine and Mr. Johnley denied any drug use. The specimen was sent to Alere for testing.

On July 30, 2021, Alere reported the results of the specimen to be positive for methamphetamine.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 6, 2021

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s/Arturo Santana

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Arturo Santana  
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☒ Other : *All pending alleged violations will be addressed at the revocation hearing scheduled for 8/18/2021.*



Thomas O. Rice

United States District Judge

August 9, 2021

Date